

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

RICHARD GLOSSIP,)	
)	
Petitioner,)	
vs.)	NO. CIV-08-0326-HE
)	
MARTY SIRMONS, Warden, Oklahoma)	
State Penitentiary,)	
)	
Respondent.)	

ORDER

Petitioner Richard Glossip mailed a letter to the court which has now been filed [Doc.# 84] and which the court construes as a petition seeking habeas relief pursuant to 28 U.S.C. § 2254.¹ Although he does not discuss his prior habeas petition, petitioner previously challenged his state first degree murder conviction and death sentence. Doc. #25 (Petition for Writ of Habeas Corpus). The court denied that petition, the Tenth Circuit Court of Appeals affirmed the denial and the Supreme Court denied a *writ of certiorari*. Doc. Nos. 64, 65, 76, 80.

The new petition, which is second or successive, will be dismissed. The court lacks jurisdiction to consider the petition because petitioner has not obtained prior authorization from the Tenth Circuit Court of Appeals. 28 U.S.C. § 2244(b). The court also notes that the petition was submitted by petitioner *pro se*, even though he is represented by counsel.


The court concludes that the petition should be dismissed, rather than transferred to the Tenth Circuit Court of Appeals, because it does not contain allegations demonstrating that petitioner can satisfy the requirements of §2244(b)(2) for filing a second or successive petition.

Accordingly, the petition [Doc. # 84] is dismissed for lack of jurisdiction.

¹A virtually identical copy of the letter was sent to Chief Judge Miles-LaGrange.

IT IS SO ORDERED.

Dated this 8th day of January, 2015.



JOE HEATON
UNITED STATES DISTRICT JUDGE